GOVERNMENT OF ANDHRA PARDESH
ABSTRACT

Home Department – The Andhra Pradesh Witness Protection Scheme, 2025 under section 398 of BNSS, 2023 – Notification - Orders – Issued.

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HOME (COURTS-B) DEPARTMENT

G.O.Ms.No.137 Dated:18.09.2025
Read:-

From the Director General of Police, AP, Mangalagiri, Rc.No.1006/L&O-III/ 2024-25, dated: 13.08.2025.

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ORDER

In the circumstances reported by the Director General of Police, Andhra Pradesh, Mangalagiri in the reference read above, the Government, here by issue the following notification and it shall be published in the Extraordinary issue of the Andhra Pradesh Gazette, dated:18.09. 2025.

**NOTIFICATION**

In exercise of the powers conferred by section 398 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the state of Andhra Pradesh has expedited that a Witness Protection Scheme shall be implemented in the state of Andhra Pradesh for the protection of vulnerable witnesses from any kind of threat and intimidation. Whereas, the undersigned is satisfied that the circumstances exist, which render it necessary that such Witness Protection Scheme should be brought into force at once. Now, therefore, the undersigned, the State Government shall notify the following scheme.

**1. SHORT TITLE AND COMMENCEMENT:**

(a) The Scheme shall be called the **"Andhra Pradesh Witness Protection Scheme, 2025".**

(b) It shall come into force from the date of Notification in the official Gazette.

**2. DEFINITIONS:**

a) "**Sanhita**" means the Bharatiya Nagrik Suraksha Sanhita, 2023;

b) "**Concealment of Identity of Witness**" means and includes any condition prohibiting publication or revealing, in any manner, directly or indirectly, of the name, address and other particulars which may lead to the identification of the witness during investigation, inquiry, trial and post-trial stage; the name of witness may be published only after the permission of the Competent Authority.

c) "**Competent Authority**" means a Standing Committee in each District, chaired by the Principal District and Sessions Judge with the Head of the Police in the District as Member and Head of the Prosecution in the District as its Member Secretary.

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d) "**Family Member**" includes parents/guardians, spouse, live-in partner, siblings, children, grandchildren of the witness;

e) **"Form"** means "Witness Protection Application Form" appended to this Scheme;

f) "**In Camera Proceedings**" means proceedings wherein the Competent Authority/Court allows only those persons, who are necessarily to be present while hearing and deciding the witness protection application or deposing in the court;

g) "**Live Link**" means and includes a live video link or other such arrangement whereby a witness, while not being physically present in the courtroom for deposing in the matter or interacting with the Competent Authority;

h) "**Audio-Video Electronic Means**" shall include use of any communication device for the purposes of video conferencing, recording of processes of identification, search and seizure or evidence, transmission of electronic communication and such other purposes and by such other means as the State Government may, by rules provide; (Section 2 (1) (a) of the Bharatiya Nagarik Suraksha Sanhita, 2023)

i) "**Witness Protection Measures**" means measures spelt out in Clause 7, Part-III, Part-IV and Part V of the Scheme.

j) "**Offence**" means those offences which are punishable with death or life imprisonment or an imprisonment up to seven years and above and also offences punishable under sections 74 to 79 of the Bharatiya Nyaya Sanhita, 2023.

k) "**Threat Analysis Report**" means a detailed report prepared and submitted by the Head of the Police in the District Investigating the case with regard to the seriousness and credibility of the threat perception to the witness or his family members. It shall contain specific details about the nature of threats faced by the witness or his family to their life, reputation or property, apart from analyzing the extent to which the person or persons making the threat have the intent, motive, and resources to implement the threats. It shall also categorize the threat perception apart from suggesting the specific witness protection measures that deserve to be taken in the matter.

l) "**Witness**" means any person, who possesses information or document as provided in section 2 (1) (d) of the Bhartiya Sakshya Adhiniyam, 2023 about any offence;

m) "**Witness Protection Application**" means an application made by the witness in the prescribed form before a Competent Authority through its Member Secretary for seeking a Witness Protection Order. It can be moved by the witness, his family member, his duly engaged counsel or Investigation Officer/Station House Officer/Sub-Divisional Police Officer/Jail Superintendent concerned;

n) "**Witness Protection Fund**" means the fund created for bearing the expenses incurred during the implementation of the Witness Protection Order passed by the Competent Authority under this scheme;

o) "**Witness Protection Order**" means an order passed by the Competent Authority detailing the witness protection measures to be taken;

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p) "**Witness Protection Cell**" means a dedicated Cell of Andhra Pradesh_Police which is responsible for implementing the witness protection order.

**3. CATEGORIES OF WITNESS AS PER THREAT PERCEPTION:**

**Category 'A'**: Where the threat extends to the life of the witness or his family members, during investigation/inquiry /trial or thereafter.

**Category 'B'**: Where the threat extends to the safety, reputation, or property of the witness or his family members, during the investigation/inquiry /trial or thereafter.

**Category 'C'**: Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's reputation or property, during the investigation/inquiry /trial or thereafter.

**4. STATE WITNESS PROTECTION FUND:**

(a) There shall be a Fund, namely, the Witness Protection Fund, from which the expenses incurred during the implementation of the Witness Protection Order passed by the Competent Authority and other related expenditure shall be met.

(b) The Witness Protection Fund shall comprise the following:

i) Budgetary allocation made in the Annual Budget by the State Government;
ii) Receipt of the amount of costs imposed/ordered to be deposited by the courts/tribunals in the Witness Protection Fund;
iii) Donations/contributions from Philanthropist/Charitable Institutions/ Organizations, and individuals permitted by the state of Andhra Pradesh.
iv) Funds contributed under Corporate Social Responsibility.

(c) The said Fund shall be operated by the Home Department under the Government of Andhra Pradesh State.

**5. FILING OF APPLICATION BEFORE COMPETENT AUTHORITY:**

The application for seeking a protection order under this scheme can be filed in the prescribed form before the Competent Authority of the concerned District where the offence is committed, through its Member Secretary, along with supporting documents, if any.

**6. PROCEDURE FOR PROCESSING THE APPLICATION:**

(a) As and when an application is received by the Member Secretary of the Competent Authority, in the prescribed form, he shall forthwith pass an order for calling for the Threat Analysis Report from the Sub-Division Police Officer/Assistant Commissioner of Police, in charge of the concerned Police Sub-Division.

(b) Depending upon the urgency in the matter owing to an imminent threat, the Competent Authority can pass orders for interim protection of the witness or his family members during the pendency of the application. Provided that nothing shall preclude police from providing immediate protection in case of a grave and imminent threat to the life of the applicant and his family members.

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(c) The Threat Analysis Report shall be prepared expeditiously while maintaining full confidentiality, and it shall reach the Competent Authority within five working days of receipt of the order.

(d) The Threat Analysis Report shall categorize the threat perception and also include suggestive protection measures for providing adequate protection to the witness or his family.

(e) While processing the application for witness protection, the Competent Authority shall also interact preferably in person and if not possible through Audio-Video electronic means as defined in Section 2 (1) (a) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the witness and/or his family members/employers or any other person deemed fit so as to ascertain the witness protection needs of the witness.

(f) All the hearings on Witness Protection Application shall be held in camera by the Competent Authority while maintaining full confidentiality.

(g) An application shall be disposed of within five working days of receipt of the Threat Analysis Report from the Police Authorities.

(h) The Witness Protection Order passed by the Competent Authority shall be implemented by the Witness Protection Cell of Andhra Pradesh Police or the Trial Court, as the case may be. However, the Witness Protection Order passed by the Competent Authority for change of identity and/or relocation shall be implemented by the Home Department, Government of Andhra Pradesh.

(i) Upon passing of a Witness Protection Order, the Witness Protection Cell shall file a monthly follow-up report before the Competent Authority.

(j) In case the Competent Authority finds that there is a need to revise the Witness Protection Order or an application is moved in this regard, and upon completion of the trial, a fresh Threat Analysis Report shall be called from the in-charge of the concerned Police Sub Division.

**7. TYPES OF PROTECTION MEASURES:**

The witness protection measures ordered shall be proportionate to the threat and shall be for a specific duration not exceeding three months at a time. These may include:

(a) Ensuring that the witness and the accused do not come face to face during the investigation, inquiry, or trial;

(b) Monitoring of mail and telephone calls;

(c) Arrangement with the telephone company to change the witness's telephone number or assign him or her an unlisted telephone number;

(d) Installation of security devices in the witness's home, such as security doors, Closed Circuit Television, alarms, fencing, etc.

(e) Concealment of identity of the witness by referring to him/her with a changed name or alphabet;

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(f) Emergency contact persons for the witness;

(g) Close protection, regular patrolling around the witness's house;

(h) Temporary change of residence to a relative's house or a nearby town;

(i) Escort to and from the court and provision of a Government vehicle or a State-funded conveyance for the date of the hearing;

(j) Holding of in-camera trials;

(k) Allowing a support person to remain present during the recording of the statement and deposition;

(l) Usage of specially designed vulnerable witness court rooms which have special arrangements like live video links, one way mirrors and screens apart from separate passages for witness and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he/she is not identifiable;

(m) Ensuring expeditious recording of deposition during trial on a day-to-day basis without adjournments;

(n) Awarding, from time to time, periodical financial aids/grants to the witness from Witness Protection Fund for the purpose of relocation, sustenance, or starting a new vocation/profession, as may be considered necessary.

(o) Any other form of protection measures considered necessary.

**8. MONITORING AND REVIEW:**

Once the protection order is passed, the Competent Authority would monitor its implementation and can review the same in terms of follow-up reports received in the matter. However, the Competent Authority shall review the Witness Protection Order on a quarterly basis based on the monthly follow-up report submitted by the Witness Protection Cell.

**9. PROTECTION OF IDENTITY:**

During the course of investigation or trial of any offence, an application for seeking identity protection can be filed in the prescribed form before the Competent Authority through its Member Secretary.

Upon receipt of the application, the Member Secretary of the Competent Authority shall call for the Threat Analysis Report. The Competent Authority shall examine the witness or his family members or any other person it deems fit to ascertain whether there is a necessity to pass an identity protection order.

During the course of hearing of the application, the identity of the witness shall not be revealed to any other person, which is likely to lead to the witness's identification. The Competent Authority can thereafter dispose of the application as per the material available on record.

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Once, an order for the protection of the identity of a witness is passed by the Competent Authority, it shall be the responsibility of the Witness Protection Cell to ensure that the identity of such witness, his or her family members, including name/parentage/occupation/ address/digital footprints, are fully protected.

As long as the identity of any witness is protected under an order of the Competent Authority, the Witness Protection Cell shall provide details of persons who can be contacted by the witness in case of emergency.

In line with the aforesaid provisions contained in the scheme, vulnerable witnesses may testify in special courts with physical barriers or through Video conferencing facilities to minimize interaction with the accused.

**10. CHANGE OF IDENTITY:** In appropriate cases, where there is a request from the witness for a change of identity and based on the Threat Analysis Report, a decision can be taken to confer a new identity to the witness by the Competent Authority.

Conferring new identities includes a new name/profession/percentage and providing supporting documents acceptable to the Government Agencies. The new identities should not deprive the witness of existing educational/professional/ property rights.

**11. RELOCATION OF WITNESS:**

In appropriate cases, where there is a request from the witness for relocation and based on the Threat Analysis Report, a decision can be taken for relocation of the witness by the Competent Authority.

The Competent Authority may pass an order for witness relocation to a safer place outside Andhra Pradesh State, but within India, keeping in view the safety, welfare and well-being of the witness. The expenses shall be borne from the Witness Protection Fund.

**12. WITNESSES TO BE APPRISED OF THE SCHEME:**

Andhra Pradesh Police shall give wide publicity to this Scheme. The IO and the Court shall inform witnesses in all cases covered under the Scheme about the existence of "Andhra Pradesh Witness Protection Scheme, 2024" and its salient features.

**13. CONFIDENTIALITY AND PRESERVATION OF RECORDS:**

All stakeholders including the Police, the Prosecution Department, Court Staff, Lawyers from both sides shall maintain full confidentiality and shall ensure that under no circumstance, any record, document or information in relation to the proceedings under this scheme shall be shared with any person in any manner except with the Trial Court/Appellate Court and that too, on a written order.

All the records pertaining to proceedings under this scheme shall be preserved till such time the related trial or appeal thereof is pending before a Court of law. After one year of disposal of the last Court proceedings, the hard copy of the records can be weeded out by the Competent Authority after preserving the scanned soft copies of the same.

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**14. RECOVERY OF EXPENSES:**

In case the witness has lodged a false complaint, the Home Department of the Government of Andhra Pradesh can initiate proceedings for recovery of the expenditure incurred from the Witness Protection Fund.

**15. REVIEW:** In case the witness or the police authorities are aggrieved by the decision of the Competent Authority, a review application may be filed before the Competent Authority within 15 days of the passing of such order.

**2**. The Director General of Police, Andhra Pradesh, Mangalagiri is requested to take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**KUMAR VISHWAJEET**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner of Printing, Stationary & Stores Purchase, Muthyalampadu,
Vijayawada, NTR District, Andhra Pradesh.
The Director General of Police, Andhra Pradesh, Mangalagiri
Copy to:-
OSD to Hon'ble Minister (Home).
PS to Principal Secretary to Government (Home)
The Law(C)Department
SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**